

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the) Application No. C-3884
Application of Broadview)
Networks, Inc., Rye Brook, New)
York, seeking authority to)
operate as a resale) GRANTED
interexchange carrier of)
telecommunications services)
within the State of Nebraska.) Entered: January 8, 2008

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

By application filed November 14, 2007, Broadview Networks, Inc., ("Broadview" or "Applicant"), Rye Brook, New York, seeks authority to provide non-facilities based resold interexchange telecommunications services within the State of Nebraska. Notice of the application was published in the Daily Record, Omaha, Nebraska, on November 15, 2007. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

Applicant is a corporation organized under the laws of the State of New York with its headquarters in Rye Brook, New York. Applicant is authorized by the Secretary of State to operate in Nebraska as a foreign corporation. In addition, no officer, director or shareholder having five percent or more of the Applicant's voting securities has been involved in a formal complaint or other investigatory or enforcement proceeding.

Applicant is a non-facilities based interexchange resale carrier proposing to provide "1+" equal access calling, calling cards and toll-free access calling service to residential and small business customers. All network services are supplied by the Applicant's underlying carriers, Global Crossings and Qwest. The Applicant does not propose to provide alternative operator services nor require advanced payments or deposits. Applicant will direct bill customers on a monthly basis and Applicant offers customers a toll-free number for customer complaints and inquiries. Further Applicant has an automated customer assistance allowing them to offer customer service 24 hours a day, 7 days a week.

Interexchange reseller applications are subject to Commission jurisdiction under Neb. Rev. Stat. §§ 86-128 and 86-129 and Title 291 of the Commission's Rules and Regulations, Chapter 5, Rule 003.12. From examination of the application filed herein and the additional financial information, the Commission finds that Broadview provided all the information required by the Commission, possesses adequate financial resources to provide the proposed service and adequate technical competency to provide the proposed service. Approval of the application would serve the public interest. Accordingly, the application should be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-3884 be, and it is hereby, granted and Broadview Networks, Inc., is authorized to provide interexchange telecommunication services within the State of Nebraska.

IT IS FURTHER ORDERED that the applicant shall file, in accordance with the applicable statutes on or before April 30th of each year, an annual report with this Commission consisting of: (a) a copy of any report filed with the Federal Communications Commission; (b) a copy of any annual report to stockholders; and (c) a copy of the latest Form 10-K filed with the Securities and Exchange Commission. If these are not available, applicant shall submit a balance sheet and income statement for the previous year of operation, as well as the investment made in telephone plant and equipment located within the state, accumulated depreciation thereon, operating revenues and expenses and taxes.

IT IS FURTHER ORDERED that, to the extent applicable, the applicant shall comply with all laws pertaining to, and all rules and regulations promulgated under, the Telecommunications Relay System Act (Neb. Rev. Stat. §§ 86-301 to 86-315) and the Nebraska Telecommunications Universal Service Fund Act (Neb. Rev. Stat. §§ 86-316 to 86-329).

IT IS FURTHER ORDERED that applicant file its current tariff, along with the appropriate fee, prior to offering service pursuant to the certificate granted in this order.